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**Board of Selectmen**  
**Regular Meeting Minutes of January 5, 2015**

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**I. Call to Order**

Chairman Kowalski reconvened the Regular Meeting of the Board of Selectmen to order at 7:02 P.M. in the Board of Selectmen's Meeting Room in the Town Offices. Present from the Board of Selectmen: Brian Major-Y, Alex Vispoli-Y, Paul Salafia-Y, Mary O'Donoghue-Y, and Dan Kowalski-Y. Also present: Town Manager Buzz Stapczynski and Town Clerk Larry Murphy. The meeting was duly posted and cablecast live.

**II. Executive Session**

At 6:30 P.M. on a motion by Brian Major and seconded by Paul Salafia, the Board of Selectmen moved into Executive Session for consultation with Town Counsel for confidential legal advice to discuss the purchase, exchange, lease or value of real property and to return to Open Session. Roll call: P. Salafia-Y, A. Vispoli-Y, B. Major-Y, M. O'Donoghue-Y, and D. Kowalski-Y. At 7:00 P.M. a motion by Mary O'Donoghue, and seconded by Alex Vispoli, the Board moved to adjourn from Executive Session and move to Open Session, not to return to Executive Session. Roll call: A. Vispoli-Y, P. Salafia-Y, B. Major-Y, M. O'Donoghue-Y, and D. Kowalski-Y.

**III. Opening Ceremonies**

**A. Moment of Silence/Pledge of Allegiance**

Chairman Kowalski led the meeting in a Moment of Silence and Pledge of Allegiance.

**IV. Communications/Announcements/Liaison Reports**

The Town Manager made the following announcements:

~The Merrimack Valley Annual Mayor's Breakfast will be held on January 16<sup>th</sup>. Members of the Board of Selectmen should contact his office if they plan to attend.

~Tennessee Gas has amended the pipeline route through Andover and are looking for locations to hold a public meeting in February.

~National Grid will give a presentation on the details of their Reliability Project at the January 26 Board of Selectmen's meeting.

~ Ledger Road Landfill Presentation will be held at the Memorial Hall Library on Wednesday, January 21<sup>st</sup> at 7:00 PM. The consultants will provide a review of the project, current status, and respond to questions.

Town Clerk Larry Murphy said nomination papers for the Town Election are available in the Town Clerks' Office. Nomination papers are to be submitted by February 3, 2015 by 5:00 P.M. Ron Hajj announced that he is stepping down from the Andover Housing Board. Both Democrats and Republicans on the Town Committee can nominate three people to fill the opening.

Paul Salafia congratulated AHS Graduate, Ryan Hanigan on being signed as a catcher for the Boston Red Sox

**IV. Communications/Announcements/Liaison Reports (Cont'd)**

Brian Major recognized Chris Cronin and staff on the outstanding job done this weekend clearing the roads without having to use outside staff.

Alex Vispoli reported that the newly updated Selectmen's Handbook is complete and has been sent to all members of the Board of Selectmen.

Dan Kowalski said National Grid will be conducting emergency trimming and pruning throughout the Town. He also reported that Representative Lyons and Moran along with State Senator Barbara L'Italien would like to address the Board of Selectmen regarding the fiscal status of the state.

**V. Citizens Petitions and Presentations**

Robyn Grant, 10 Timothy Drive congratulated the Board on their collaboration with N-Star but she is very concerned that they have not yet turned on the lights on Timothy Drive as promised at the December Board meeting. Dan Kowalski said he has requested information to identify costs on light poles not illuminated to understand the distribution of lights and their cost. He did speak with the Town Manager and they will have a presentation at the next Board of Selectmen meeting. Marshall Grant, 10 Timothy Drive does not think there has been a good faith method to provide information to them and wants the Town to seriously look at this request.

Mike Roli of College Circle is concerned about request from the School Department for additional laptops. He feels the cost for the additional laptops should come out of the School Department's budget and the Cable funds should be disenfranchised.

Ted Teichert of 5 Dufton Road asked if the propane tanks at 2 Dufton Road have been removed. Yesterday there were down power lines across the house and in the yard and he asked who is responsible to take care of the wires. Candace Dann of Rock O'Dundee Road asked who was following up on the removal of the propane tanks. Attorney Urbelis will contact the Town's Building Inspector and the Town Manager will follow up with Chief Mansfield to confirm what the next steps are.

**VI. Continued Public Hearing from November 17, 2014**

**A. FY-2016 Capital Improvement Plan (CIP)**

The Town Manager said that at this point in the budget process generally the Board of Selectmen will endorse the CIP Plan pending availability of funds. Final touches on the CIP will be completed in December. On an annual basis they usually borrow between \$4M and \$5M and he is using this measure as a guideline and also waiting to hear which project (West Elementary or AHS Renovation) will have the greater priority.

The Board would like to see the Town Manager's changes to the CIP before a vote is taken. The Town Manager said he has not officially changed pages 4 of 5 of the CIP and

**VI. Continued Public Hearing from November 17, 2014**

**A. FY-2016 Capital Improvement Plan (CIP) (Cont'd)**

at this point in the budget, he would prefer to meet with the School Administrators first about the school projects. There was a discussion on using \$1M from Free Cash to reduce costs of borrowing. The Board asked that they receive the CIP budget within a sufficient time frame in order to review it before the January 26<sup>th</sup> Board Meeting.

On a motion by Mary O'Donoghue and seconded by Brian Major, the Board of Selectmen voted 5-0 to continue the Public Hearing to January 26, 2015.

**VII. Regular Business of the Board**

**A. School Committee Vacancy**

The election of Barbara L'Italien to the State Senate and her subsequent resignation as a member of the School Committee creates a vacancy on the School Committee, and has opened a dialogue about the feasibility of filling the position for the next 6-8 weeks or to leave it open until the March Elections. Town Clerk Larry Murphy provided information on the legal statute with respect to fulfilling the position noting that the statute though not precise, says 'you shall fulfill the position'. The School Committee has to formally notify the Board of Selectmen by February 2, 2105 of their intention to fill or not fill the position between now and the March elections. If notification is not received the Board of Selectmen would by law choose a person to fill the seat.

Annie Gilbert, Chair of the Andover School Committee, will share the information from tonight's meeting with the other members of the School Committee. In terms of the wording in the statute she feels we need to apply some measure of common sense in regard to the length of time between the vacancy and March Town Elections; where is the critical point for that small amount of time.

Brian Major pointed out the importance of having a full committee this time of year and that it would be advisable to assign someone who has knowledge of the budget process and town meeting. Mary O'Donoghue would like to defer to the School Committee on their decision to work with the remaining four members for the next six weeks or to bring someone with experience on board. The Board discussed having a joint meeting with the School Committee on January 20<sup>th</sup> and the time frame for advertising for the position.

Brian Major moved that the Board of Selectmen authorize the Chair of the Board and the Town Manager to advertise for the open position on the School Committee upon formal notification from the School Committee. The position will be advertised for one week and notification of the open position made available on the Town website. The motion was seconded by Paul Salafia and voted 5-0 to approve.

**B. OPEB**

The Town Manager talked about the 12 recommendations from the OPEB Report, and recommends increasing the annual funding to \$4.5M using \$1M from Free Cash, he has

## **VII. Regular Business of the Board (Cont'd)**

also been working with Finance Director Donna Walsh to move the OPEB funds to the PRIT Fund which has a higher interest rate, but there is a cost to that. The Town Manager spoke with Jimmy Cuticchia, Chair of the Retirement Board, about pro-rated retirement for part-time employees, and will provide a written report addressing the issues at the Retirement Board meeting on January 29<sup>th</sup> at 8:00 A.M. in the Board of Selectmen's Conference Room.

Mr. Stapczynski talked about the formation of a seven member Advisory Committee with liaisons from the School Committee and Finance Committee. The Advisory Committee would create a charter, and adopt a fiscal policy to endorse a certain percentage of dollars annually to OPEB providing credibility to the community and the rating agencies, and work towards making fundamental changes to House Bill 59. The Committee should be formed by early February.

### **C. Tax Levy**

The Board talked about defining a specific tax levy amount. The Town Manager provided budget reports with and without the additional \$1.1M over last year for the Board's review. He is considering department requests and will make a decision on where to start as they move through the budget process.

Joanne Marden from the Finance Committee said the discussion should be in the context of a multiple year plan not just this one year. She distributed a draft of a tax projection model she developed showing multiple years, tax year projections, amounts reserved for capital projects, and how it will impact town bills. An electronic copy of the document will be sent to the Board and the Town Manager. With the use of the debt tool analysis changes can be made quickly and easily to the document. The Board agreed to schedule a workshop meeting for January 20<sup>th</sup> to further discuss the tax levy and to look at the projected budget reports in more depth.

### **D. Clerk**

Town Clerk reported on the Home Rule petitions, WA #23 not to offer health insurance for elected officials and WA #29 limited tax relief for certain elder citizens, which both passed at the 2014 Town Meeting, noted that language in both bills needs to be modified and the petitions refiled, and he will work with the parties involved and keep the Board informed on the status of the bills moving forward.

### **E. Town Manager's Contract**

The Town Manager read a letter submitted to the Board of Selectmen announcing his intent to retire on June 30, 2015 after twenty-five years of dedicated service to the Town of Andover. In his letter he recognized the public officials, department heads, employees and volunteers he has had the great fortune to work with along with the members of the business community. He recognized what a special community Andover is and he is proud of the achievements made over the last twenty-five years.

**VII. Regular Business of the Board (Cont'd)**

**F. Town Manager's Contract (cont'd)**

Each member of the Board of Selectmen spoke highly of the achievements Buzz has made as Town Manager and acknowledged his integrity, honesty, commitment to his job, and dedication to the Town.

The Board will meet on Friday at 7:30 A.M. with the Director of Human Resources, the Town Manager, and Town Counsel to review the process to conduct a search for the Town Manager's successor.

**VIII. Water and Sewer Commissioners:**

On a motion by Alex Vispoli and seconded by Paul Salafia the Board of Selectmen moved to adjourn as Board of Selectmen and to convene as Water & Sewer Commissioners. Roll call: A. Vispoli-Y, P. Salafia-Y, B. Major-Y, M. O'Donoghue-Y, and D. Kowalski-Y.

Chairman Kowalski explained that Merrimack College has requested modifications to their water-sewer infrastructure and he has talked with representatives of Merrimack College to net out what their needs are. Chris Cronin, Director of Municipal Services, reported on the changes being proposed by showing maps of the campus and what the request covers (abandoning pipe, laying new pipe, clean and line sections, and realigning pipes to use North Andover's water/sewer system). Chairman Kowalski firmly believes the Town needs to have a municipal agreement in place with Merrimack College to cover any future problems.

Jeff Doggett, Senior Vice President of Merrimack College was present and spoke about the requests being made and also what Merrimack is doing to repair areas of concern in the neighborhood. Selectman Vispoli said Merrimack's School President, Christopher Hopey, still has not responded to any of the letters from our Town Manager and he would like Mr. Hopey to have a conversation with Mr. Stapczynski before proceeding further. Mr. Doggett agreed. He also agreed to perform the Ionized Study and to fix infiltration problems and sewer lines as shown in Mr. Cronin's presentation. Mr. Daggett said Merrimack can proceed with two of the housing projects on campus without fixing the pipes. As a good faith effort they will fix some pipes now which will also help move one of the dorm projects forward. He cannot in good faith say what the timeline would be to fix all the pipes. Merrimack is committed to the project but cannot commit to a timeline. Chairman Kowalski reiterated the need to have a contract and assurances from Merrimack College. Mr. Daggett will submit a strategic plan to the Andover Board of Selectmen.

Several neighborhood residents spoke about their most recent water problems and flooding of basements due to problems stemming from the pipelines from Merrimack and the new construction underway. Residents in the neighborhood adjacent to the College and the Board of Selectmen are both displeased with the lack of communication

**VIII. Water and Sewer Commissioners: (Cont'd)**

from Merrimack officials and stressed the need for improved communication going forward.

On a motion by Paul Salafia and seconded by Alex Vispoli, the Board moved to adjourn as Water & Sewer Commissioners and to reconvene back to Board of Selectmen. Roll call: A. Vispoli-Y, P. Salafia-Y, B. Major-Y, M. O'Donoghue-Y, and D. Kowalski-Y.

**IX. All Other Business None**

**X. Consent Agenda**

**A. Appointments and Re-appointments**

On a motion by Brian Major and seconded by Alex Vispoli, the Board voted 5-0 that the following appointments by the Town Manager be approved: That the following appointments by the Town Manager be approved:

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>DEPARTMENT OF COMMUNITY SERVICES</u>			
Matthew Burke	Bradford Monitor	C2A/\$8.00	12/19/14
Nicole Laponius	Art Instructor	C2A/\$8.00	12/17/14
<u>MUNICIPAL SERVICES DEPARTMENT</u>			
Michael Caulfield (v. F. Graham)	Water Dist. Maint.Spec.	W4-1/\$48,108	01/06/15
Eric Hannus (v. D. Eisenhaur)	Water Dist. Maint.Spec	W4-1/\$48,108	01/06/15
<u>POLICE DEPARTMENT</u>			
Cecilia Blais (v. H. Collins)	Police Lieutenant	R-518/\$114,464	01/06/15
Mark Fiorentini (v. B. St. Hilaire)	Dispatcher-Part-Time Non-Benefited	\$22.85	01/06/15
Bonnie Silva (v. T. LaCoss)	Dispatcher-Part-Time Non-Benefited	\$22.85	01/06/15

**XI. Adjournment**

At 9:42 P.M. on a motion by Selectman Salafia and seconded by Selectman Vispoli, the Board voted 5-0 to adjourn the meeting of January 5, 2014.

Respectfully submitted,

Dee DeLorenzo

Recording Secretary

Documents: January 5, 2015 letter from Town Manager to Board of Selectmen  
Draft Tax Projection Model from Joanne Marden